

## PATENTS ONLY

To the Honorable commissioner of Patents and Trademarks:

Please record the attached original documents or copy thereof.

## 1. Name of conveying party(ies):

Fred Messinger  
George Swallow

## 2. Name and address of receiving party(ies):

Name: Cisco Technology, Inc.

## Street Address:

170 West Tasman Drive, Building D

City: San Jose

State: CA Zip: 95134-1706

## Additional name(s) of conveying

party(ies) attached? Yes ☒ No

## Additional name(s) &amp; address(es)

attached? Yes ☒ No

## 3. Nature of conveyance:

- ☒ Assignment  
☐ Merger  
☐ Security Agreement  
☐ Change of Name  
☐ Other

Execution Date: March 12, 1999

## 4. Application number(s) or patent number(s):

If this document is being filed together with a new application, the execution date of the application is: March 12, 1999

## A. Patent Application No.(s)

## B. Patent No. (s)

Additional numbers attached? Yes ☒ No

## 5. Name and address of party to whom correspondence concerning document should be mailed:

Name: Martin J. O'Donnell, Esq.  
CESARI AND MCKENNA, LLP  
Street Address:  
30 Rows Wharf  
City: Boston State: MA Zip: 02110

## 6. Total number of applications and patents involved:..... 1

## 7. Total fee (37 CFR 3.41) ..... \$40.00

☒ Enclosed

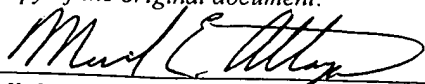
☐ Authorized to be charged to deposit account

## 8. Deposit account no. 03-1237 (Attach duplicate copy of this page if paying by deposit account)

DO NOT USE THIS SPACE

## 9. Statement and signature.

To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.



Michael E. Attaya, Reg. No. 31,731

4/14/99

Date

Total number of pages comprising cover sheet: 1

### ASSIGNMENT

Whereas We, Fred Messinger, who reside at 7 Summit Avenue, Groton, MA 01450, and George Swallow, who reside at 236 Hayward Ville Road, Concord, MA 02742, have made certain inventions or discoveries (or both) set forth in an application for Letters Patent of the United States of America entitled NETWORK TRAFFIC VISUALIZATION, identified by Cesari and McKenna File No. 112025-0080, which application was executed by us on 3-12-99; and

Whereas Cisco Technology, Inc., whose address is 170 West Tasman Drive, Building D, San Jose, CA 95134-1706, and which, together with its successors and assigns, is hereinafter called "Assignee," is desirous of acquiring the title, rights, benefits, and privileges hereinafter recited;

Now, Therefore, for valuable consideration furnished by Assignee to us, receipt and sufficiency of which we hereby acknowledge, we hereby, without reservation:

1. Assign, transfer, and convey to Assignee our entire right, title, and interest in and to said inventions and discoveries, said application for Letters Patent of the United States of America, any and all other applications for Letters Patent on said inventions and discoveries in whatsoever countries, including all divisional, renewal, substitute, continuation, continuation-in-part, and Convention applications based in whole or in part upon said inventions or discoveries, or upon said applications, and any and all Letters Patent, reissues, reexaminations, and extensions of Letters Patent granted for said inventions and discoveries or upon said applications, and every priority right that is or may be predicated upon or arise from said inventions, said discoveries, said applications, and said Letters Patent;
2. Authorize Assignee to file patent applications in any or all countries on any or all of said inventions and discoveries in our names or in the name of Assignee or otherwise as Assignee may deem advisable, under the International Convention or otherwise;
3. Authorize and request the Commissioner of Patents and Trademarks of the United States of America and the empowered officials of all other governments to issue or transfer all said Letters Patent to Assignee, as assignee of the entire right, title, and interest therein or otherwise as Assignee may direct;
4. Warrant that we have not knowingly conveyed to others any right in said inventions, discoveries, applications, or patents or any license to use the same or to make, use, or sell anything embodying or utilizing any of said inventions or discoveries; and that we have good right to assign the same Assignee without encumbrance;
5. Bind our heirs, legal representatives and assigns, as well as ourselves, to do, upon Assignee's request and at Assignee's expense, but without additional consideration to us or them, all acts reasonably serving to assure that the said inventions and discoveries, the said patent applications, and the said Letters Patent shall be held and enjoyed by Assignee as fully and entirely as the same could have been held and enjoyed

by us, our heirs, legal representatives, and assigns if this assignment had not been made; and particularly to execute and deliver to Assignee all lawful application documents including petitions, specifications, and oaths, and all assignments, disclaimers, and lawful affidavits in form and substance as may be requested by Assignee; to communicate to Assignee all facts known to us relating to said inventions and discoveries or the history thereof; and to furnish Assignee with any and all documents, photographs, models, samples, and other physical exhibits in our control or in the control of our heirs, legal representatives or assigns which may be useful for establishing the facts of our conceptions, disclosures, and reduction to practice of said inventions and discoveries.

In testimony of which we have executed this Assignment as an instrument under seal on the dates indicated next to our names.

3-12-99  
Date

Fred Messenger  
Fred Messenger, Inventor

Commonwealth of Massachusetts )  
County of Middlesex )ss.

On this 12<sup>th</sup> day of March, 1999, before me appeared Fred Messenger, to me known and known to me to be the person described in and who executed the foregoing instrument, and he acknowledged the same to be his free act and deed.

Margaret A. Miller  
Notary Public

[seal]

3/12/99  
Date

George Swallow  
George Swallow, Inventor

Commonwealth of Massachusetts )  
County of Middlesex )ss.

On this 12th day of March, 1999, before me appeared George Swallow, to me known and known to me to be the person described in and who executed the foregoing instrument, and he acknowledged the same to be his free act and deed.

Margaret A. Hill  
Notary Public

[seal]

## DECLARATION AND POWER OF ATTORNEY FOR PATENT APPLICATION

As a below-named inventor, I hereby declare that:

My residence, post-office address, and citizenship are as stated below next to my name.

I believe I am an original, first, and joint inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled NETWORK TRAFFIC VISUALIZATION, the specification of which is attached hereto and identified by Cesari and McKenna File No. 112025-0080.

I hereby state that I have reviewed and understand the contents of the above-identified application specification, including the claims, as amended by any amendment specifically referred to herein.

I acknowledge the duty to disclose all information known to me that is material to patentability in accordance with Title 37, Code of Federal Regulations, §1.56.

I hereby claim foreign priority benefits under Title 35, United States Code §119(a)-(d) of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate filed by me on the same subject matter having a filing date before that of the application on which priority is claimed: None.

I hereby claim the benefit under Title 35, United States Code §119(e) of the following U.S. provisional application: None.

I hereby claim the benefit under Title 35, United States Code §120, of the United States Application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose all information that is material to patentability in accordance with Title 37, Code of Federal Regulations, §1.56, and which became available to me between the filing date of the prior application and the national or PCT international filing date of this application: None.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment or both under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

I hereby appoint Michael E. Attaya, Reg. No. 31,731; Charles J. Barbas, Reg. No. 32,959; Joseph H. Born, Reg. No. 28,283; Robert A. Cesari, Reg. No. 18,381; Steven J. Frank, Reg. No. 33,497; Christopher K. Gagne, Reg. No. 36,142; A. Sidney Johnston, Reg. No. 29,548; William A. Loginov, Reg. No. 34,863; Robert A. Mazzaresse, Reg. No. 42,852; John F. McKenna, Reg. No. 20,912; Martin J. O'Donnell, Reg. No. 24,204; Thomas C. O'Konski, Reg. No. 26,320; Michael R. Reinemann, Reg. No. 38,280; Rita M. Rooney, Reg. No. 30,585; and Patricia A. Sheehan, Reg. No. 32,301, Cesari and McKenna, LLP, 30 Rows Wharf, Boston, Mass. 02110, jointly, and each of them severally, my attorneys and attorney, with full power of substitution, delegation and revocation, to prosecute this application, to make alterations and amendments therein, to receive the patent and to transact all business in the Patent and Trademark Office connected therewith. Please direct all telephone calls to Martin J. O'Donnell at (617) 951-2500. Please address all correspondence to Martin J. O'Donnell.

Fred Messenger      3-12-99  
Fred Messenger      Date

Residence:                      7 Summit Avenue  
                                        Groton, MA 01450

Citizenship                      U.S.A.

Post Office Address:              Same as above

George Swallow      3/12/99  
George Swallow      Date

Residence:                      236 Hayward Mill Road  
                                        Concord, MA 02742

Citizenship                      U.S.A

Post Office Address:              Same as above